

# REZONING REPORT

▶ **FILE #:** 1-D-23-RZ **AGENDA ITEM #:** 8  
 POSTPONEMENT(S): 1/12/2023, 2/9/2023 **AGENDA DATE:** 3/9/2023  
 ▶ **APPLICANT:** VICTOR JERNIGAN  
 OWNER(S): Victor Jernigan

TAX ID NUMBER: 70 C D 023 [View map on KGIS](#)  
 JURISDICTION: City Council District 4  
 STREET ADDRESS: 4614 WASHINGTON PIKE  
 ▶ **LOCATION:** Southeast side of Washington Pike, southwest of Millertown Pike  
 ▶ **APPX. SIZE OF TRACT:** 2.19 acres  
 SECTOR PLAN: East City  
 GROWTH POLICY PLAN: N/A (Within City Limits)  
 ACCESSIBILITY: Access is via Washington Pike, a minor arterial with a pavement width of 23-ft within a right-of-way width of 40-ft.  
 UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board  
 WATERSHED: Loves Creek

▶ **PRESENT ZONING:** RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
 ▶ **ZONING REQUESTED:** RN-2 (Single-Family Residential Neighborhood);HP (Hillside Protection Overlay)  
 ▶ **EXISTING LAND USE:** Rural Residential  
 ▶  
 EXTENSION OF ZONE: No  
 HISTORY OF ZONING: None noted.  
 SURROUNDING LAND USE AND ZONING: North: Single family residential -- RN-1 (Single-Family Residential Neighborhood Zoning)  
 South: Rural residential -- RN-1 (Single-Family Residential Neighborhood Zoning), HP (Hillside Protection Overlay)  
 East: Single family residential, Rural residential -- RN-1 (Single-Family Residential Neighborhood Zoning)  
 West: Single family residential, Rural residential -- RN-1 (Single-Family Residential Neighborhood Zoning)  
 NEIGHBORHOOD CONTEXT: This area is primarily single family residential dwellings with some attached and multi-family dwellings in the vicinity as well.

**STAFF RECOMMENDATION:**

▶ **Approve RN-2 (Single-Family Residential Neighborhood) and HP (Hillside Protection Overlay) zoning because it is located on an arterial near a commercial node and is consistent with the sector plan.**

**COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E.3, SUBSECTIONS 1-3, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. There is an increased need for small-scale housing. This proposal will provide an opportunity to meet this need.
2. The RN-2 zone allows single-family houses on 5,000 sqft lots and duplexes on 10,000 sqft lots with Special Use approval by the Planning Commission.
3. The property is located near the regional commercial and employment node to the northeast.
4. A significant investment in road improvements related to the Amazon distribution warehouse is under construction.
5. The property is located on a KAT transit route.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The RN-2 zoning district is intended for low density single-family residential development on relatively small lots.
2. RN-2 zoning is consistent with the LDR (Low Density Residential) land use classification of this property.
3. The subject property is contiguous with MDR (Medium Density Residential) land use along the southeast boundary. There are also MDR and O (Office) land use designations along Millertown Pike to the east and Washington Pike to the west and north.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. The property has access to a minor arterial street.
2. The proposed rezoning to RN-2 is not anticipated to adversely affect adjacent properties since the area is predominantly residential in character.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The proposed rezoning to RN-2 aligns with policy 8.1 of the General Plan, which promotes infill housing on vacant lots that are compatible with the scale and layout of neighboring residences.
2. The RN-2 zoning district is consistent with the East City Sector Plan's LDR classification.
3. A small portion of the property, south of the blue line stream that runs through the property, is within the HP (Hillside Protection Overlay). Because of the need to cross the stream and the relatively small area, the HP area is not likely to be disturbed.
4. The requested zoning district at this location is not in conflict with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Spring Hill Elementary, Holston Middle, and Fulton High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

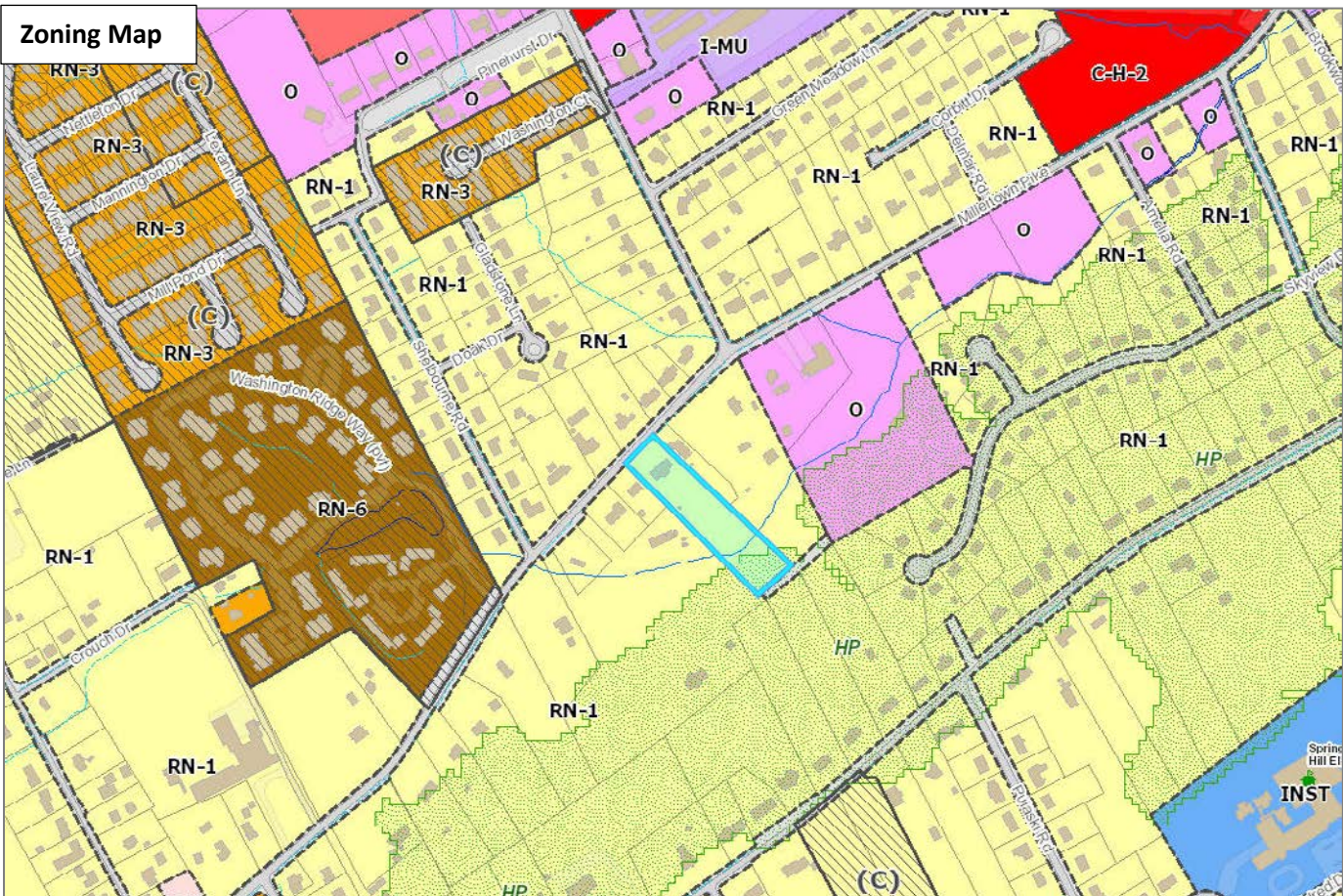
If approved, this item will be forwarded to Knoxville City Council for action on 4/4/2023 and 4/18/2023. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

**Exhibit A. 1-D-23-RZ Contextual Images**

**Base Map**

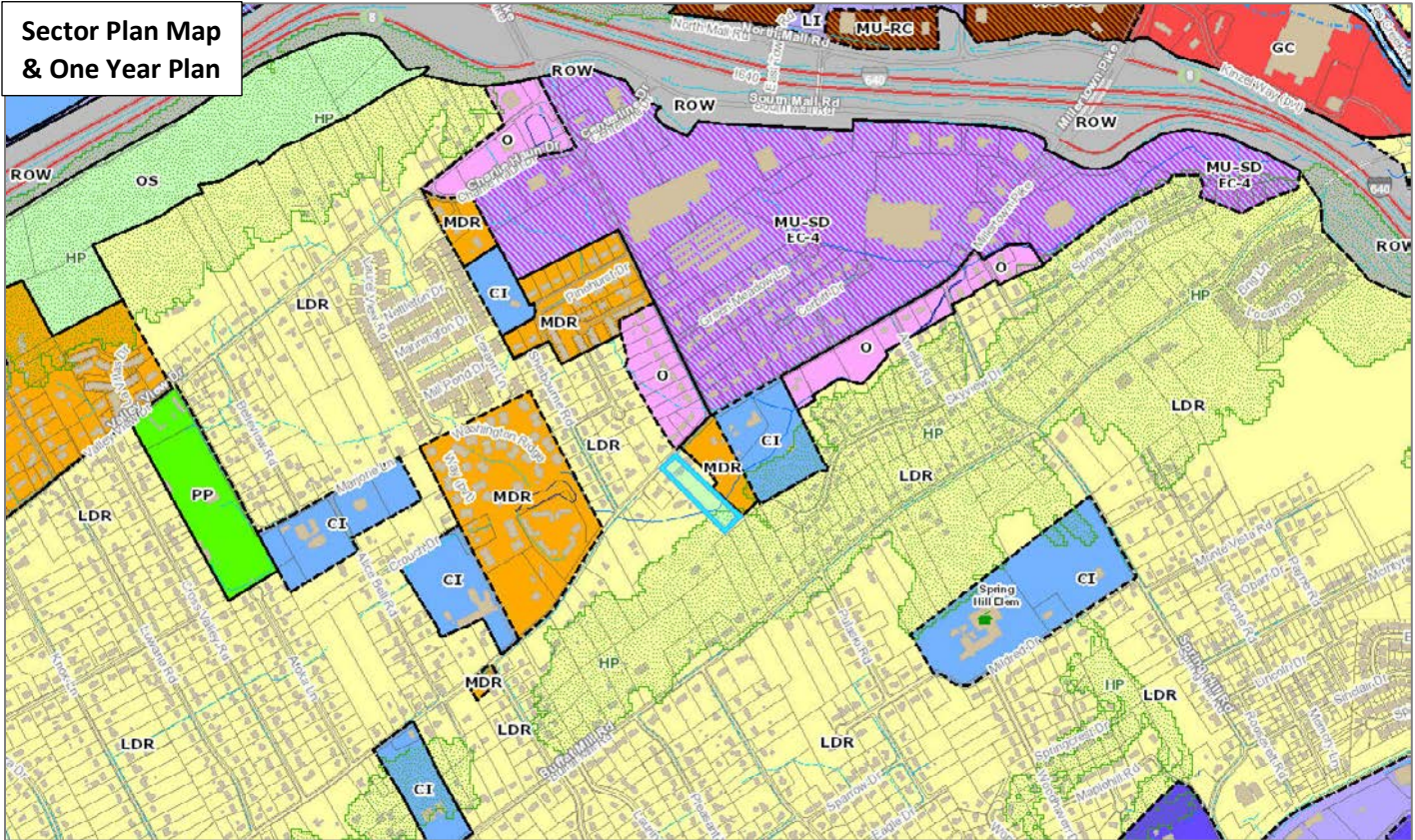


**Zoning Map**

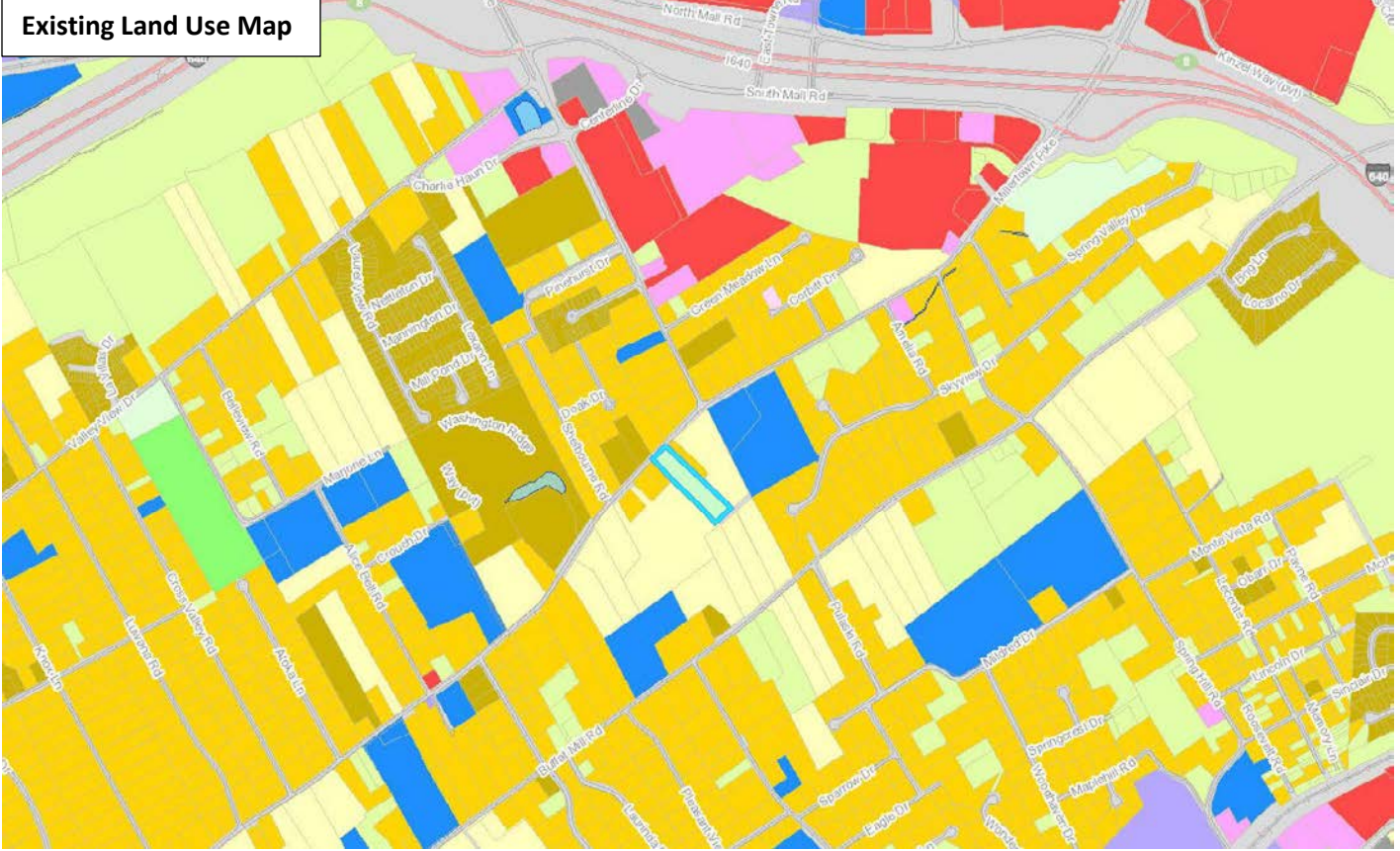


# Exhibit A. 1-D-23-RZ Contextual Images

Sector Plan Map  
& One Year Plan

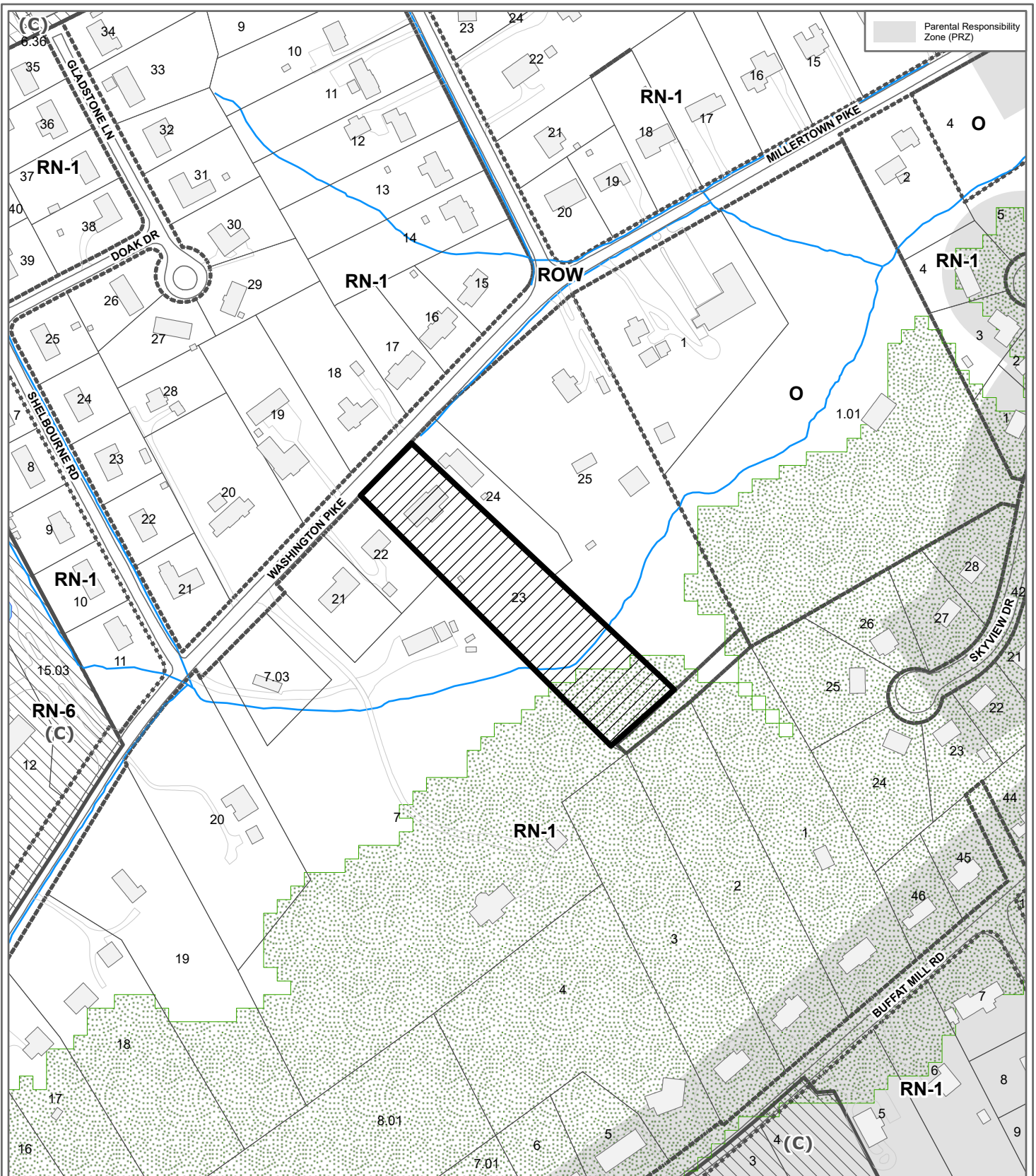


Existing Land Use Map



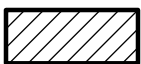
**Exhibit A. 1-D-23-RZ Contextual Images**





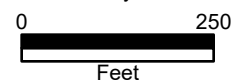
**1-D-23-RZ  
REZONING**

From: RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)  
 To: RN-2 (Single-Family Residential Neighborhood);HP (Hillside Protection Overlay)



Petitioner: Victor Jernigan

Map No: 70  
 Jurisdiction: City



Original Print Date: 12/19/2022 Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



# Request to Postpone • Table • Withdraw

Victor Jernigan

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

02/09/2023

Scheduled Meeting Date

1D23RZ

File Number(s)

## POSTPONE

**POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

**SELECT ONE:**  30 days  60 days  90 days

Postpone the above application(s) until the 03/09/2023 Planning Commission Meeting.

## WITHDRAW

**WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

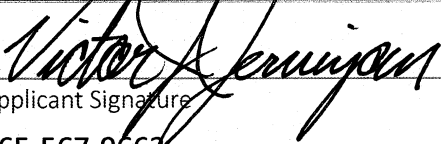
## TABLE

*\*The refund check will be mailed to the original payee.*

**TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

## AUTHORIZATION

*By signing below, I certify I am the property owner, and/or the owners authorized representative.*

  
Applicant Signature

Victor Jernigan

Please Print

865-567-9663

Garrettjernigan@outlook.com

Phone Number

Email

## STAFF ONLY

Staff Signature \_\_\_\_\_ Please Print \_\_\_\_\_ Date Paid \_\_\_\_\_  No Fee

Eligible for Fee Refund?  Yes  No Amount:

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Payee Name \_\_\_\_\_ Payee Phone \_\_\_\_\_ Payee Address \_\_\_\_\_



# Development Request

### DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
  - Sector Plan
  - One Year Plan
- Rezoning

**Victor Jernigan**

Applicant Name

Affiliation

**10/28/2022**

Date Filed

**1/12/2023**

Meeting Date (if applicable)

**1-D-23-RZ**

File Number(s)

## CORRESPONDENCE

*All correspondence related to this application should be directed to the approved contact listed below.*

**Victor Jernigan**

Name / Company

**815 Sunnydale Rd Knoxville TN 37923**

Address

**865-207-9663 / victorj@victorjernigan.com**

Phone / Email

## CURRENT PROPERTY INFO

**Victor Jernigan**

Owner Name (if different)

**815 Sunnydale Rd Knoxville TN 37923**

Owner Address

**865-207-9663 / victorj@victorje**

Owner Phone / Email

**4614 WASHINGTON PIKE**

Property Address

**70 C D 023**

Parcel ID

**2.19 acres**

Tract Size

Part of Parcel (Y/N)?

**Knoxville Utilities Board**

Sewer Provider

**Knoxville Utilities Board**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**SE of Washington Pk, southwest of Millertown Pk intersection**

General Location

City

**Council District 4**

**RN-1 (Single-Family Residential Neighborhood), HP (Hillside Protection Overlay)**

**Single Family Residential, Rural Residential**

Count

District

Zoning District

Existing Land Use

**East City**

Planning Sector

**LDR (Low Density Residential), HP (Hillside Protection)**

Sector Plan Land Use Classification

**N/A (Within City Limits)**

Growth Policy Plan Designation



## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____ Other (specify) _____	

## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Total Number of Lots Created	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>RN-2 (Single-Family Residential Neighborhood);HP (Hillside Protection Ov</b> Proposed Zoning	Pending Plat File Number
<input type="checkbox"/> Plan Amendment    Proposed Plan Designation(s)	
Proposed Density (units/acre)    Previous Zoning Requests	
Additional Information _____	

## STAFF USE ONLY

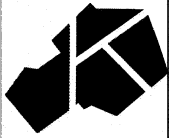
<b>PLAT TYPE</b> <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1 <b>\$650.00</b>	Total
<b>ATTACHMENTS</b> <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	Fee 2	
<b>ADDITIONAL REQUIREMENTS</b> <input type="checkbox"/> COA Checklist (Hillside Protection) <input type="checkbox"/> Design Plan Certification (Final Plat) <input type="checkbox"/> Site Plan (Development Request) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> Use on Review / Special Use (Concept Plan)	Fee 3	

## AUTHORIZATION

Applicant Signature	<b>Victor Jernigan</b> Please Print	<b>10/28/2022</b> Date
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Property Owner Signature	<b>Victor Jernigan</b> Please Print	<b>10/28/2022</b> Date
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I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



# Planning

KNOXVILLE | KNOX COUNTY

# Request to Postpone • Table • Withdraw

Victor Jernigan

12/15/2022

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

01/13/2023

Scheduled Meeting Date

1D23RZ

File Number(s)

## POSTPONE

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**SELECT ONE:**  30 days  60 days  90 days

Postpone the above application(s) until the 2/9/2023 Planning Commission Meeting.

## WITHDRAW

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Victor Jernigan

Applicant Signature

Please Print

865-567-9663

garrettjernigan@outlook.com

Phone Number

Email

## STAFF ONLY

Staff Signature M. Jones Date Paid 12/22/2022  No Fee

Eligible for Fee Refund?  Yes  No Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address

Download and fill out this form at your convenience.  
Sign the application digitally (or print, sign, and scan).

OR either print the completed form and bring it to the  
Knoxville-Knox County Planning offices  
OR email it to applications@knoxplanning.org

**Reset Form**



# Development Request

- DEVELOPMENT**
- Development Plan
  - Planned Development
  - Use on Review / Special Use
  - Hillside Protection COA

- SUBDIVISION**
- Concept Plan
  - Final Plat

- ZONING**
- Plan Amendment
    - SP
    - OYP
  - Rezoning

Victor Jernigan

Applicant Name 10/27/2022	01/13/2022	Affiliation
Date Filed	Meeting Date (if applicable)	File Number(s)

**CORRESPONDENCE** All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Victor jernigan

Name 815 Sunnydale Road	Company Knoxville	TN	37919
Address 865-567-9663	City garrettjernigan@outlook.com	State	ZIP
Phone	Email		

**CURRENT PROPERTY INFO**

Commercial Redevelopment, LLC	4628 Washington Pike	865-207-9663
Property Owner Name (if different) 4614 Washington Pike	Property Owner Address 070CD025	Property Owner Phone
Property Address KUB	Parcel ID KUB	n
Sewer Provider	Water Provider	Septic (Y/N)

**STAFF USE ONLY**

General Location	Tract Size
<input type="checkbox"/> City <input type="checkbox"/> County	District
Zoning District	Existing Land Use
Planning Sector	Sector Plan Land Use Classification
	Growth Policy Plan Designation

## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Hillside Protection COA <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential Home Occupation (specify) _____  Other (specify) _____	Related City Permit Number(s)
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## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel            Total Number of Lots Created _____  <input type="checkbox"/> Other (specify) _____  <input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change            Rn2 Proposed Zoning _____  <input type="checkbox"/> Plan Amendment Change            Proposed Plan Designation(s) _____  Proposed Density (units/acre) _____            Previous Rezoning Requests _____  <input type="checkbox"/> Other (specify) _____	Pending Plat File Number
--	--------------------------

## STAFF USE ONLY

### PLAT TYPE

- Staff Review     Planning Commission

### ATTACHMENTS

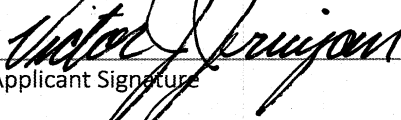
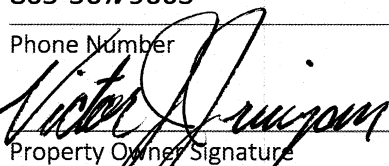
- Property Owners / Option Holders     Variance Request

### ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)  
 Use on Review / Special Use (*Concept Plan*)  
 Traffic Impact Study  
 COA Checklist (*Hillside Protection*)

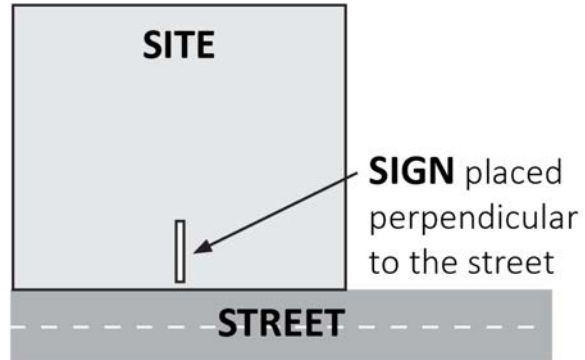
Fee 1	Total
Fee 2	
Fee 3	

## AUTHORIZATION

	Victor Jernigan	10/27/2022
Applicant Signature	Please Print	Date
865-567-9663	garrettjernigan@outlook.com	
Phone Number	Email	
	Commercial Redevelopment, LLC	10/27/2022
Property Owner Signature	Please Print	Date

I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

## TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

***The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:***

\_\_\_\_\_ 12/31/2022 \_\_\_\_\_ and \_\_\_\_\_ 1/13/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Victor Jernigan

Date: 10/28/22

File Number: 1-D-23-RZ

- Sign posted by Staff  
 Sign posted by Applicant